

STATEMENT OF BASIS (AI No. 25619)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0096512 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: AEP Elmwood, LLC
Algiers Barge Cleaning and Minor Repair Facility
P.O. Box 1148
Harvey, LA 70059

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Yvonne Baker

DATE PREPARED: October 1, 2008

1. PERMIT STATUS**A. Reason For Permit Action:**

Permit reissuance of an Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term.

B. NPDES permit – NPDES permit effective date: N/A
NPDES permit expiration date: N/A
EPA has not retained enforcement authority.

C. LPDES permits – LA0096512
LPDES permit effective date: February 1, 2004
LPDES permit expiration date: January 31, 2009

LAG531829
LPDES permit effective date: February 2, 2008
LPDES permit expiration date: November 30, 2012

LAR05N766
LPDES permit effective date: October 5, 2006
LPDES permit expiration date: April 30, 2011

D. Date Application Received: July 21, 2008

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - barge cleaning and repair facility**

This is an existing facility which cleans and performs minor repairs on open top, dry cargo hopper and covered hopper barges. Any product that is left in the barge hopper is removed and salvaged. Rinse water is pumped from the Mississippi River into the barge holds only after all product has been removed. No product is sent for disposal at an off-site disposal facility. Rinse/washwater is siphoned and discharged directly to the Mississippi River. A maximum of 5 barges are cleaned per day of dry commodity barges and a maximum of 2 barges are cleaned per day of coal and coke

Statement of Basis for
AEP Elmwood, LLC, Algiers Barge Cleaning and Minor Repair Facility
LA0096512, AI No. 25619
Page 2

barges. The facility operates 8 hours per day and 7 days per week. See Attachment 1 for a list of commodities.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II, as per LAC33:IX.1319 Table I and SIC 4463. In Appendix A - Section IV (Relation of 1987 to 1977 Industries) of the Standard Industrial Classification Manual, the SIC code 4491 is equivalent to a previous SIC code of 4463.
3. Wastewater Type: II
4. SIC code: 4491, 3731

C. LOCATION - 3800 Patterson Road in Algiers, Orleans Parish
Latitude 29° 56' 36", Longitude 90° 00' 51"

3. OUTFALL INFORMATION

Outfall 001

Discharge Type: dry commodity barge / vessel washwater
Treatment: none
Location: at the point of discharge from the barge / vessel being washed
Flow: intermittent
Discharge Route: via pipe to the Mississippi River

Outfall 002

Discharge Type: coal and coke barge / vessel washwater
Treatment: none
Location: at the point of discharge from the barge / vessel being washed
Flow: intermittent
Discharge Route: via pipe to the Mississippi River

Outfall 03A

Discharge Type: incoming ballast and void water from customer barges
Treatment: none
Location: at the point of discharge from the customer barge wing/void tanks
Flow: intermittent
Discharge Route: via pipe to the Mississippi River

Outfall 03B

Discharge Type: maintenance and dry dock ballast water and void water
Treatment: none
Location: at the point of discharge from the work barge wing/void tanks
Flow: intermittent
Discharge Route: via pipe to the Mississippi River

Statement of Basis for
AEP Elmwood, LLC, Algiers Barge Cleaning and Minor Repair Facility
LA0096512, AI No. 25619
Page 4

8. EXISTING EFFLUENT LIMITS

Outfall 001: Dry commodity barge washwater

Based on BPJ and on permits for similar facilities, no effluent limitations are established for washwaters from barges previously containing dry commodities including: See Attachment 1. Best Management Practices (BMPs) for barge operations are listed in Part II.

Outfall 002: coal and coke barge washwater

Pollutant	Monthly Average	Daily Maximum	Frequency
Flow	Report	Report	1/day
TSS	---	Report	1/month
COD	250 mg/L	400 mg/L	1/week
pH Min/Max Values	6.0 (min)	9.0 (max)	1/week

Outfall 003A: incoming ballast water

Pollutant	Monthly Average	Daily Maximum	Frequency
Flow	---	Report	1/week
COD	---	250 mg/L	1/week
Oil & Grease	---	15 mg/L	1/week
pH Min/Max Values	6.0 (min)	9.0 (max)	1/week

Outfall 003B: dry dock, maintenance and spar barge ballast water

Pollutant	Monthly Average	Daily Maximum	Frequency
Flow	---	Report	1/month*
COD	---	250 mg/L	1/month*
Oil & Grease	---	15 mg/L	1/month*
pH Min/Max Values	6.0 (min)	9.0 (max)	1/month*

*Sampling for Outfall 003B is only required if a visible oil sheen is present.

Outfall 001: treated sanitary wastewater (LAG531829)

Pollutant	Monthly Average	Weekly Average	Frequency
Flow	Report	Report	1/ 6 months
BOD ₅	30 mg/L	45 mg/L	1/ 6 months
TSS	30 mg/L	45 mg/L	1/ 6 months
Fecal Coliform	200 col/100ml	400 col/100ml	1/ 6 months
pH Min/Max Values	6.0 (min)	9.0 (max)	1/ 6 months

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated October 24, 2007 from Boggs (FWS) to Brown (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an

Statement of Basis for
AEP Elmwood, LLC, Algiers Barge Cleaning and Minor Repair Facility
LA0096512, AI No. 25619
Page 5

adverse effect upon the Pallid Sturgeon. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

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Statement of Basis for
 AEP Elmwood, LLC, Algiers Barge Cleaning and Minor Repair Facility
 LA0096512, AI No. 25619
 Page 3

Outfall 004

Discharge Type: treated sanitary wastewater
 Treatment: activated sludge STP with aeration, clarification and chlorination
 Location: at the point of discharge from the STP prior to mixing with other waters
 Flow: 1000 GPD
 Discharge Route: via pipe to the Mississippi River

4. RECEIVING WATERS

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi River Basin, Segment 070301

DESIGNATED USES -

- a. primary contact recreation
- b. secondary contact recreation
- c. propagation of fish and wildlife
- d. drinking water supply

5. TMDL STATUS

The discharges from AEP Elmwood, LLC are to the Mississippi River, Subsegment 070301 of the Mississippi River Basin. Subsegment 070301 is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.
 Changes from previous permit:

- A. A reporting requirement for Monthly Average for TSS has been added for Outfall 002.
- B. The monitoring frequency for flow has been changed from 1/day to 1/week for Outfall 002.
- C. Outfalls 003A and 003B have been renumbered to Outfalls 03A and 03B.
- D. Reporting requirements for monthly average flow have been added to Outfalls 03A and 03B.
- E. Outfall 001 under the current LAG531829 permit has been renumbered to Outfall 004.
- F. Complexity was changed from I to II based on 4491 and 3731 SIC codes and similar discharges.
- G. BMPs for Dry Docks and Dock Washdown Water have been added to Part II of the permit.
- H. The Fecal Coliform limitation for Outfall 004 was changed from a weekly average to a daily maximum.
- I. The wastewater descriptions for Outfalls 001, 002, 03A, and 03B have been updated to reflect current language preferences.

7. COMPLIANCE HISTORY/COMMENTS

- A. OEC - There are no enforcement action or recent inspections on file as of September 30, 2008.
- B. DMR Review/Excursions - A DMR review of years 2006, 2007, and 2008 for LA0096512, LAG531829, and LAR05N766 noted the following excursion.

Statement of Basis for
 AEP Elmwood, LLC, Algiers Barge Cleaning and Minor Repair Facility
 LA0096512, AI No. 25619
 Page 4

<u>Date</u>	<u>Parameter</u>	<u>Outfall</u>	<u>Reported Value</u>	<u>Permit Limits</u>
10/06	COD	003A	483 mg/L	250 mg/L (LA0096512)

8. EXISTING EFFLUENT LIMITS

Outfall 001: Dry commodity barge washwater

Based on BPJ and on permits for similar facilities, no effluent limitations are established for washwaters from barges previously containing dry commodities including: See Attachment 1. Best Management Practices (BMPs) for barge operations are listed in Part II.

Outfall 002: coal and coke barge washwater

<u>Pollutant</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Frequency</u>
Flow	Report	Report	1/day
TSS	---	Report	1/month
COD	250 mg/L	400 mg/L	1/week
pH Min/Max Values	6.0 (min)	9.0 (max)	1/week

Outfall 003A: incoming ballast water

<u>Pollutant</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Frequency</u>
Flow	---	Report	1/week
COD	---	250 mg/L	1/week
Oil & Grease	---	15 mg/L	1/week
pH Min/Max Values	6.0 (min)	9.0 (max)	1/week

Outfall 003B: dry dock, maintenance and spar barge ballast water

<u>Pollutant</u>	<u>Monthly Average</u>	<u>Daily Maximum</u>	<u>Frequency</u>
Flow	---	Report	1/month*
COD	---	250 mg/L	1/month*
Oil & Grease	---	15 mg/L	1/month*
pH Min/Max Values	6.0 (min)	9.0 (max)	1/month*

*Sampling for Outfall 003B is only required if a visible oil sheen is present.

Outfall 001: treated sanitary wastewater (LAG531829)

<u>Pollutant</u>	<u>Monthly Average</u>	<u>Weekly Average</u>	<u>Frequency</u>
Flow	Report	Report	1/ 6 months
BOD ₅	30 mg/L	45 mg/L	1/ 6 months
TSS	30 mg/L	45 mg/L	1/ 6 months
Fecal Coliform	200 col/100ml	400 col/100ml	1/ 6 months
pH Min/Max Values	6.0 (min)	9.0 (max)	1/ 6 months

Statement of Basis for

AEP Elmwood, LLC, Algiers Barge Cleaning and Minor Repair Facility

LA0096512, AI No. 25619

Page 5

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Statement of Basis for
AEP Elmwood, LLC, Algiers Barge Cleaning and Minor Repair Facility
LA0096512, AI No. 25619
Page 6

Rationale for AEP Elmwood, LLC

1. **Outfall 001: dry commodity barge / vessel washwater**

Based on BPJ and on permits for similar facilities, no effluent limitations are established for washwaters from barges previously containing dry commodities including: Hard grain, Wood chips, Sugar and Glucose Products, Bauxite, Anode Butts, Wire and Carbon Rods, Magnesite, Copper Tin Oxide, Aluminum Hydrate, General Fertilizers, Phosphates, Sulfates (Ferrous/ Ammonium), Aggregate, Dredged Spoil, Grain products, Timber/ Wood Products, Glass, Barite, Clay Ores, Iron Ore, Magnealte, Cement, Gypsum, Nitrates (Calcined and non-Calcined), Ammonium Products, Soda Ash, Sand, Fiberglass Dust from Barge Cover Repairs, Granulated blast furnace slag glass, Urea, Lime, Meal, Dunnage, Talc and Clay Products, Ferrite Magnesium, Copper, Alumina, Fluorspar, Salt, Limestone/Rock, Rubber Tires, Pellets, Ore Products, Scrap Iron/Steel, Selestite Ore, Slag, Spodumene, and Fly Ash. Best Management Practices (BMPs) for barge operations are listed in Part II.

2. **Outfall 002: coal and coke barge / vessel washwater**

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	mg/L		
Flow	Report	Report	LAC 33:IX.2701.1.1.b
COD	250	400	Similar discharges (BPJ)
TSS	Report	Report	Similar discharges (BPJ)
pH, s.u.	6.0 (min)	9.0 (max)	Similar discharges (BPJ)

BPJ Best Professional Judgment

Treatment: none

Monitoring Frequency: TSS shall be observed once per month and Flow, COD and pH shall be observed once per week at the point of discharge from the barge / vessel being washed.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other industrial facilities.

3. **Outfall 03A: incoming ballast and void water from customer barges**
Outfall 03B: maintenance and dry dock ballast water and void water

Pollutant	Limitation		Reference
	Monthly Avg	Daily Max	
	mg/L		
Flow	Report	Report	
COD	---	250	Similar discharges (BPJ)
Oil & Grease	---	15	Similar discharges (BPJ)
pH, s.u.	6.0 (min)	9.0 (max)	Similar discharges (BPJ)

BPJ Best Professional Judgment

Treatment: none

Statement of Basis for

AEP Elmwood, LLC, Algiers Barge Cleaning and Minor Repair Facility

LA0096512, AI No. 25619

Page 7

Monitoring Frequency: Flow, COD, Oil & Grease and pH shall be observed once per week at the point of discharge from the customer barge/vessel wing/ void tanks.

*The measurement frequency for Outfall 03B for the discharge of maintenance ballast and void water shall be 1/month whenever sampling is required at the point of discharge from the work barge wing/void tanks.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other industrial facilities.

4. **Outfall 004:** treated sanitary wastewater

Pollutant	Limitation		Reference
	Monthly Avg	Weekly Avg	
	mg/L		
Flow	Report	Report	
BOD ₅	30	45	Similar discharges (BPJ)
TSS	30	45	Similar discharges (BPJ)
Fecal Coliform colonies/100ml	200	400 (Daily Max)	Similar discharges (BPJ)
pH, s.u.	6.0 (min)	9.0 (max)	Similar discharges (BPJ)

Treatment: activated sludge STP with aeration, clarification and chlorination

Monitoring Frequency: Semiannually for all parameters at the point of discharge from the STP prior to mixing with waters of the state.

Limits Justification: Limits and monitoring frequencies are based on current guidance for similar discharges from other industrial facilities.

This facility is not subject to Effluent Limitations Guidelines for Transportation Equipment Cleaning, 40 CFR Part 442, because, in accordance with 40 CFR 442.1.a, "this part applies to discharges resulting from cleaning the interior of tanks used to transport chemical, petroleum or food grade cargos." This facility cleans barges and vessels containing dry commodities only. This facility does not clean barges and vessels containing chemical, petroleum or food grade cargos as defined in 40 CFR 442.

Storm Water Pollution Prevention Plan (SWP3) Requirement

A SWP3 is included in the permit because in accordance with LAC 33:IX.2511.A.1, storm water discharges shall not be required to obtain an LPDES permit "... except... discharges associated with industrial activity." In accordance with LAC 33:IX.2511.B.14.a-k, facilities classified as SIC code 4491, 3731 are considered to have storm water discharges associated with industrial activity. In addition to the SWP3, the barge BMPs will be applied because barge BMPs are comparable to the SWP3 requirements.

The SWP3 shall be prepared, implemented, and maintained within six(6) months of the effective date of the final permit. The plan should identify potential sources of storm water pollution and ensure the implementation of practices to prevent and reduce pollutants in storm water discharges associated with industrial activity at the facility (see Part II of the permit).